

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Kathleen Ann Maruska : Bankruptcy Case No. 21-10461-TPA
Debtor(s) : Chapter 13

PLAN CONFIRMATION ORDER

AND NOW, this *15th day of October, 2021*, it is hereby **ORDERED, ADJUDGED, and DECREED**, with the consent of all the Parties in attendance, as follows:

A The Chapter 13 Plan dated *September 13, 2021*, except as modified herein as numbered, below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court.

1. For the remainder of the Plan term, the periodic Plan payment is to be **\$2305** as of **October, 2021**. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order. (A2)

2. Attorney's fees shall be paid upon the basis of a retainer having been paid in the amount of **\$2500**. (B16)

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

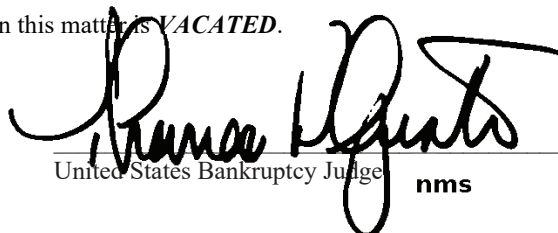
3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
6. Debtor(s) shall file an Amended Schedule I and/or J in the event of:
 - (a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.
 - (b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.
 - (c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.
8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.
10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.
11. Any prior Confirmation Order entered in this matter is *VACATED*.


United States Bankruptcy Judge nms

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Kathleen Ann Maruska
Debtor

Case No. 21-10461-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Oct 15, 2021

User: bsil
Form ID: pdf900

Page 1 of 3
Total Noticed: 32

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 17, 2021:

Recip ID	Recipient Name and Address
db	+ Kathleen Ann Maruska, 514 Shadow Oaks Drive, Meadville, PA 16335-1162
15404086	+ Apple Card/GS Bank USA, Lockbox 6112, Philadelphia, PA 19170-0001
15404087	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank of America, P.O. Box 982238, El Paso, TX 79998
15404088	+ Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803
15410109	+ Erie County Tax Claim Bureau, 140 West 6th Street, Suite 110, Erie, PA 16501-1073
15404096	+ Fifth Third Bank N.A., 5050 Kingsley Drive, Cincinnati, OH 45263-0001
15404097	+ First National Bank of PA, 4140 East State Street, Hermitage, PA 16148-3401
15410412	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15404102	Mercer County State Bank, 3279 South Main Street, Sandy Lake, PA 16145
15404104	+ Pennymac Loan Services, P.O. Box 514387, Los Angeles, CA 90051-4387

TOTAL: 10

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Oct 15 2021 23:23:47	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15404089	+ Email/PDF: MarletteBKNotifications@resurgent.com	Oct 15 2021 23:23:47	Best Egg, P.O. Box 42912, Philadelphia, PA 19101-2912
15404090	+ Email/Text: PBNCNotifications@peritussservices.com	Oct 15 2021 23:14:00	Capital One/Kohl's, P.O. Box 3115, Milwaukee, WI 53201-3115
15404091	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 15 2021 23:23:58	Citibank, N.A., P.O. Box 6497, Sioux Falls, SD 57117-6497
15404092	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 15 2021 23:23:53	Citibank/Sears, P.O. Box 6217, Sioux Falls, SD 57117-6217
15404093	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 15 2021 23:23:58	Citibank/The Home Depot, Centralized Bankruptcy, P.O. Box 790040, Saint Louis, MO 63179-0040
15404094	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 15 2021 23:15:00	Comenity Bank/Bonton, P.O. Box 182789, Columbus, OH 43218-2789
15404095	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 15 2021 23:15:00	Comenity Bank/Fashionbug, P.O. Box 182789, Columbus, OH 43218-2789
15404098	+ Email/Text: cashiering-administrationservices@flagstar.com	Oct 15 2021 23:15:00	Flagstar Bank, 5151 Corporate Drive, Troy, MI 48098-2639
15404099	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 15 2021 23:15:00	Internal Revenue Service, 310 Lowell Street, Stop 360, Andover, MA 01810
15404100	+ Email/Text: bk.notifications@jpmchase.com	Oct 15 2021 23:15:00	JP Morgan Chase Bank Auto, P.O. Box 901003, Fort Worth, TX 76101-2003

District/off: 0315-1

User: bsil

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Date Rcvd: Oct 15, 2021

Form ID: pdf900

Total Noticed: 32

15404101	Email/PDF: ais.chase.ebn@americaninfosource.com	Oct 15 2021 23:23:51	JP Morgan Chase Bank Card, P.O. Box 15369, Wilmington, DE 19850
15408859	+ Email/PDF: cbp@onemainfinancial.com	Oct 15 2021 23:23:46	OneMain Financial, PO Box 3251, Evansville, IN 47731-3251
15404103	+ Email/PDF: cbp@onemainfinancial.com	Oct 15 2021 23:23:50	Onemain Financial, P.O. Box 1010, Evansville, IN 47706-1010
15404105	Email/Text: Bankruptcy.Notices@pnc.com	Oct 15 2021 23:14:00	PNC Bank, P.O. Box 3180, Pittsburgh, PA 15230
15404106	Email/Text: Bankruptcy.Notices@pnc.com	Oct 15 2021 23:14:00	PNC Bank, N.A., P.O. Box 3180, Pittsburgh, PA 15230
15410581	Email/PDF: resurgentbknofications@resurgent.com	Oct 15 2021 23:23:48	Resurgent Capital Services as servicing agent for, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15404560	+ Email/PDF: gecsed@recoverycorp.com	Oct 15 2021 23:23:47	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15404107	+ Email/PDF: gecsed@recoverycorp.com	Oct 15 2021 23:23:50	Synchrony Bank / JC Penneys, P.O. Box 965007, Orlando, FL 32896-5007
15404108	+ Email/PDF: gecsed@recoverycorp.com	Oct 15 2021 23:23:46	Synchrony Bank/Old Navy, P.O. Box 965005, Orlando, FL 32896-5005
15404109	+ Email/PDF: gecsed@recoverycorp.com	Oct 15 2021 23:23:56	Synchrony Bank/Paypal, P.O. Box 965005, Orlando, FL 32896-5005
15404110	+ Email/PDF: gecsed@recoverycorp.com	Oct 15 2021 23:23:51	Synchrony Bank/Sams Club, P.O. Box 965005, Orlando, FL 32896-5005

TOTAL: 22

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FLAGSTAR BANK
15410048	*	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 17, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 15, 2021 at the address(es) listed below:

Name	Email Address
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District/off: 0315-1

User: bsil

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Date Rcvd: Oct 15, 2021

Form ID: pdf900

Total Noticed: 32

Brian Nicholas

on behalf of Creditor FLAGSTAR BANK bnicholas@kmlawgroup.com

Daniel P. Foster

on behalf of Debtor Kathleen Ann Maruska dan@mrdebtbuster.com
katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

TOTAL: 4